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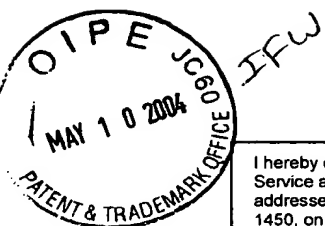
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 438-997, 414US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 10, 2004

Signature: *Lon J. Giuffrida*

Lon J. Giuffrida

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Docket No.: 60693(49163)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Barry J. Byrne, et al.

Application No.: 09/404,448

Confirmation Number: 8377

Filed: September 22, 1999

Art Unit: 1636

For: RECOMBINANT HERPES SIMPLEX VIRAL
VECTOR COMPOSITIONS

Examiner: Gerald. G. Leffers, Jr.

SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is one set (three sheets, three figures) of formal drawings for filing in the above-identified patent application. Kindly substitute the enclosed formal drawings for the informal drawings submitted with the originally filed application.

Dated: May 10, 2004

Respectfully submitted,

By: *Barbara S. Kitchell*
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MAY 10 2004

PATENT & TRADEMARK OFFICE 0960

Form PTO 948 (Rev. 8-98)

U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office

Application No. 9/404,448NOTICE OF DRAFTSPERSON'S
PATENT DRAWING REVIEWThe drawing(s) filed (insert date) 9-22-99 are:

- A. ☐ Approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ Objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:
Black ink. Color.

Color drawings are not acceptable until petition is granted.

Fig(s) _____
Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

- 1 full-tone set is required. Fig(s) _____
Photographs not properly mounted (must use bristol board or photographic double-weight paper). Fig(s) _____
Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

- Paper not flexible, strong, white, and durable.
Fig(s) _____
Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____
Mylar, velum paper is not acceptable (too thin).
Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

- 21.0 cm by 29.7 cm (DIN size A4)
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
All drawing sheets not the same size.
Sheet(s) _____
Drawing sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

- Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: A4 Size
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: 8 1/2 x 11
Margins not acceptable. Fig(s) _____
Top (T) _____ Left (L) _____
Right (R) _____ Bottom (B) _____

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes.

Partial views. 37 CFR 1.84(h)(2)

- Brackets needed to show figure as one entity.
Fig(s) _____
Views not labeled separately or properly.
Fig(s) _____
Enlarged view not labeled separately or properly.
Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

- Hatching not indicated for sectional portions of an object.
Fig(s) _____
Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

- Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

- Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.
Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

- Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality).
Fig(s) 1, 2, 3, 4

11. SHADING. 37 CFR 1.84(m)

- Solid black areas pale. Fig(s) _____
Solid black shading not permitted. Fig(s) _____
Shade lines, pale, rough and blurred. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

- Numbers and reference characters not plain and legible.
Fig(s) 1, 2, 3, 4
Figure legends are poor. Fig(s) _____
Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1)
Fig(s) _____
English alphabet not used. 37 CFR 1.84(p)(2)
Fig(s) _____

- Numbers, letters and reference characters must be at least 32 cm (1 1/8 inch) in height. 37 CFR 1.84(p)(3)
Fig(s) 1, 2, 3, 4

13. LEAD LINES. 37 CFR 1.84(q)

- Lead lines cross each other. Fig(s) _____
Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(i)

- Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

- Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. CORRECTIONS. 37 CFR 1.84(w)

- Corrections not made from prior PTO-948 dated _____

17. DESIGN DRAWINGS. 37 CFR 1.152

- Surface shading shown not appropriate. Fig(s) _____
Solid black shading not used for color contrast.
Fig(s) _____

COMMENTS

REVIEWER JcDATE 1-26-00 TELEPHONE NO. 203 305 8470ATTACHMENT TO PAPER NO. 8